

**RECEIVED**United States District Court  
STATE AND DISTRICT OF MINNESOTA

AUG 25 2010

CLERK, U.S. DISTRICT COURT  
ST. PAUL, MINNESOTA

UNITED STATES OF AMERICA

v.

SALVADOR LANDA-MERAZ

**CRIMINAL COMPLAINT**

Case Number:

10 mj 341 AJB

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about July 19, 2010, in Stearns County, in the State and District of Minnesota, the defendant, an alien who had previously been removed from the United States subsequent to a conviction for an aggravated felony, namely Assault 2nd Degree in violation of Minnesota Statute 609.222, subd. 1, re-entered and was found in the United States without having obtained the consent of the Attorney General or his successor, the Secretary of Homeland Security, to re-apply for admission to the United States.

in violation of Title 8, United States Code, Section(s) 1326(a) and 1326(b)(2), and Title 6, United States Code, Section(s) 202 and 557.

I further state that I am a Deportation Officer and that this complaint is based on the following facts:  
SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Sworn to before me, and subscribed in my presence,

Date

August 25, 2010  
The Honorable Arthur J. Boylan  
UNITED STATES MAGISTRATE JUDGE

Name &amp; Title of Judicial Officer

Signature of Complainant

Dustin Halverson  
BICESt. Paul, MN  
City and State

Signature of Judicial Officer

**STATE OF MINNESOTA)**

**)**

**ss. AFFIDAVIT OF Dustin Halverson**

**COUNTY OF HENNEPIN)**

Dustin Halverson, being duly sworn, deposes and states as follows:

1. Your Affiant has been employed with Immigration and Customs Enforcement (ICE) within the Department of Homeland Security (DHS) since April 1, 2007. On August 1, 2009, your Affiant was promoted to Deportation Officer.
2. As a Deportation Officer, your Affiant's duties and responsibilities include overseeing the cases of aliens in removal proceedings. Your Affiant is also responsible for reviewing alien files in connection with the detention and release of aliens in ICE custody.
3. This Affidavit is based on your Affiant's training, experience, personal knowledge, discussions with other law enforcement officers and agents directly involved in this investigation, and my review of official reports and documents related to this investigation.
4. This Affidavit is made for the purpose of establishing probable cause in support of a federal arrest warrant, and therefore contains only a summary of relevant facts. Based upon all the facts and information set forth in this Affidavit, your Affiant believes that probable cause exists to believe that, on or about July 19, 2010, in Stearns County, Minnesota, in the State and District of Minnesota, Salvador LANDA-Meraz unlawfully re-entered and was found in the United States after having been previously removed, without having obtained the consent of the Attorney General or his successor, the Secretary of Homeland Security, to re-apply for admission to the United States, and the defendant's removal was subsequent to a conviction for

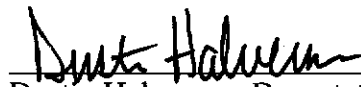
commission of an aggravated felony, in violation of Title 8, United States Code, Sections 1326(a) and 1326(b)(2) and Title 6, United States Code, Sections 202 and 557.

5. On July 16, 2010, LANDA-Meraz was arrested by St. Cloud Police Department for 2<sup>nd</sup> Degree Driving While Intoxicated, Open Container in a Motor Vehicle, Give Peace Officer False Information, and Driving after Revocation.
6. On July 19, 2010, LANDA-Meraz was encountered by an ICE Immigration Enforcement Agent after having received an afterhours CAP duty telephone call from the Stearns County Jail regarding LANDA-Meraz's detention at their facility. On August 12, 2010, LANDA-Meraz was turned over to ICE custody.
7. On or about November 15, 2007, LANDA-Meraz was convicted of Assault 2<sup>nd</sup> Degree in violation of Minnesota State Statute 609.222 subdivision 1 in the District Court of Stearns County, Minnesota. On November 15, 2007, LANDA-Meraz was sentenced to 21 months imprisonment.
8. LANDA-Meraz's immigration file indicates that he has been previously arrested and removed from the United States on April 8, 2009, through the Laredo, Texas port of entry.
9. Law enforcement has confirmed through fingerprints and photographs contained in LANDA-Meraz's criminal history and his immigration file that the individual named Salvador LANDA-Meraz who is referenced in those records is, in fact, the same person who is currently in ICE custody and was encountered on July 16, 2010 by St. Cloud Police Department Officers.
10. Your Affiants investigation has revealed that since his removal from the United States

on April 8, 2009, LANDA-Meraz has not applied for, nor received, permission to enter the United States from the Attorney General, his successor, the Secretary of Homeland Security, or any other designated and authorized representative.

11. Based on these facts, your Affiant has reason to believe that the defendant, Salvador LANDA-Meraz, unlawfully re-entered and was found in the United States after removal, in violation of Title 8, United States Code, Sections 1326(a) and 1326(b)(2) and Title 6, United States Code, Sections 202 and 557.

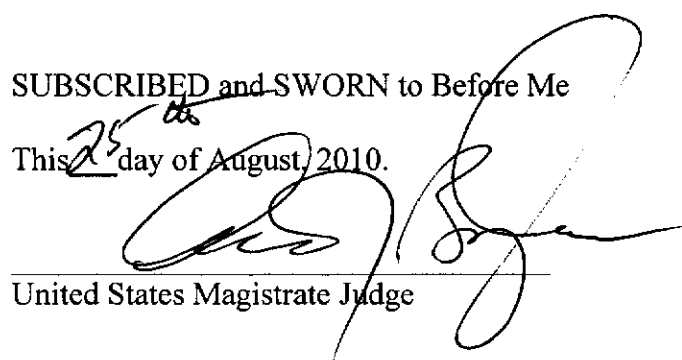
Further Your Affiant Sayeth Not.



Dustin Halverson, Deportation Officer  
Immigration and Customs Enforcement

SUBSCRIBED and SWORN to Before Me

This 25<sup>th</sup> day of August, 2010.



United States Magistrate Judge